



New Jersey Department of Children and Families Policy Manual

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Service Plan 4-4-2005

When the court has ordered CP&P to be involved, the court requires a service plan to be submitted within fourteen (14) working days. In all other situations, the Division shall prepare a written initial assessment within:

- Sixty (60) calendar days of SCR assigning a CPS report to the field office for investigation;
- Sixty (60) calendar days of SCR assigning a CWS referral to the field office for response; or
- Thirty (30) calendar days of a child entering (or reentering) out-of- placement. whichever comes sooner.

Service plans are part of the full assessment of a family's situation as contained in CP&P Form [26-81](#), Family Summary/Case Plan. Case Plans are completed for all client families.

An effective service plan contains information about the family's and child's functioning and depends upon the family's agreement and cooperation about what needs to be done. Family members are included in the development, as well as the implementation, of the service plan. A case goal is selected for each family member receiving services.

Whether the service plan calls for out-of-home placement or providing services while the child remains at home depends on several factors, including:

- if the court has made a specific order about out-of-home placement,
- child safety,
- the risk to the child in staying home, the parent's willingness and ability to provide care and supervision for the child,
- the availability of services in the community, e.g., day treatment, educational programs, family therapy, and
- the child's self-control and motivation to remain in the community.

School Referral 3-25-97

The school employee immediately calls the appropriate Local Office or SCR (weekends, holidays, after hours) and provides referral information as follows:

- name and address of student,
- name and address of parents or caregiver,
- age and sex of student,
- nature and extent of injuries or description of neglect,
- any other information that might be helpful in establishing the cause of injury.

The school employee must also notify the building principal or designee of the report to CP&P.

Investigation by CP&P 3-25-97

All referrals of suspected abuse and/or neglect, regardless of referral source, must be investigated as outlined in [CP&P-II-C-5-1100](#). School officials have been encouraged to assist CP&P staff in fulfilling their investigation responsibility. Citing consistency with a cooperative effort, State Board of Education procedures state that appropriate local school officials and employees shall:

- release to agency representatives all records past and present pertaining to the child and children under investigation,
- permit the representatives to physically view the child or children in question,
- permit the representatives to interview such child or children in the presence of a school official, and
- permit the representative to interview any and all personnel who may have knowledge germane to the investigation.

CP&P Response and Confidentiality 3-25-97

New Jersey Law, Confidentiality Act, N.J.S.A. 9:6-8.10a, requires that CP&P protect child abuse and neglect information and allows release of information only under circumstances specified in the Law. N.J.S.A. 9:6-8.10a(b)(5) states that CP&P may release records and reports to "an agency authorized to care for, treat, or supervise a child who is the subject of a child abuse report or a parent, or both, where the information is needed in connection with the provision of care, treatment, or supervision to such child or such parent, guardian or other person."

To the extent that the school needs information to care, treat, or supervise the child, under N.J.S.A. 9:6-8.10a(b)(5), CP&P is permitted to disclose appropriate information necessary for the school to fulfill its obligation to the child. Information should not be disclosed simply to complete school records nor for school administrative purposes.

Reporting Back to the School 3-25-97

If the referent wishes to know the outcome of the investigation, the Worker advises the referent that the investigation has been completed and whether CP&P has decided to

service the case further. Additional protective service information may be released only to professional school employees:

- who will be further involved in the investigation or service plan, or
- who need such information to provide care, treatment, or supervision for the child, (e.g., school social workers, teachers).
- When information is released to professional school employees, CP&P informs them:
 - that the information is confidential,
 - that the information released is authorized solely for the child's care, treatment, or supervision, and
 - that the professional school employee has a responsibility to maintain confidentiality of the information CP&P releases to them.

Specific procedures and timeframes for reporting back to the school should be determined locally between the appropriate school district and the CP&P Local Office.

Referrals from School Regarding Substance Use, and a Parent's Failure to Re-Enroll Child 3-25-97

N.J.S.A. 18A:40A-12 indicates that a child found under the influence of drugs and/or alcohol while at school, confirmed by a medical examination, is to be sent home. The child may not return to school until a written report is obtained from a physician, certifying that the child is physically and mentally able to resume attendance at school. In addition, a specially trained professional from the school may conduct an investigation, which may include an interview with the parent(s), to determine the extent of the child's substance use. This inquiry may result in a referral to an appropriate treatment program in the community.

New Jersey Administrative Code 6:29-6.5(a)8 indicates that refusal or failure by a parent to comply with N.J.S.A. 18A:40A-12 shall be in violation of the compulsory education laws and/or child neglect laws. As such situations may violate both compulsory education law and child neglect law, cooperative efforts by CP&P and the schools may best serve the needs of the child and family. It is the responsibility of CP&P to determine whether a given situation violates child neglect law. Likewise, it is the responsibility of the Department of Education to determine whether a given situation violates compulsory education law.

In accordance with the above Administrative Code, parents are responsible when their children are required to submit to substance use evaluations/medical examinations and/or treatment in order to attend/resume attendance at school. When a parent fails to comply, a school may refer the situation to CP&P, to investigate as an allegation of neglect.

The most common forms of child neglect that may be applicable are:

- medical neglect--failure of a parent to obtain treatment for a child who chronically uses drugs and/or alcohol;

- educational neglect--failure of a parent to exercise a minimum degree of care in supplying the child with adequate education (N.J.S.A. 9:6-8.9d).

If the screener determines that an adolescent child is refusing and/or failing to cooperate with his parent's efforts to comply with the provisions of N.J.S.A. 18A:40A-12, the screener may advise school staff to initiate a referral to the C.I.U. as a juvenile-family crisis. If there is no neglect and the child is already known to another child service/public agency (e.g., county probation), service provision by that agency may be more appropriate than a referral to CP&P.

When a school makes a referral to CP&P, the D.O. screener, with the assistance of supervisory staff as needed, determines whether the referral constitutes an allegation of neglect, is appropriate for CP&P intervention, or is inappropriate for CP&P services. Before accepting the referral for investigation or service provision, the screener first determines what efforts were taken by school to engage the parent and makes a determination as to whether those efforts were reasonable and sufficient.

Reasonable efforts by school staff to engage the parent include, at a minimum:

- the provision of written notification to the parent advising him of the law, his rights and responsibilities, the actions needed in order to have the child re-admitted to school, and the possible consequences of a parent's failure and/or refusal to comply with the law; and
- follow-up communication with the parent in the form of a telephone contact or, when possible, in person, to ensure that the parent received the written notification, to address any questions the parent may have, to ascertain the reason for the parent's non-compliance, and to discuss the plan for the child's return to school.

Under New Jersey's compulsory education laws, the school may seek relief through the court. Screening includes a discussion of whether the school has considered or taken court action and whether such action would achieve the objective of evaluating and/or securing treatment for the child and having him re-enrolled in school.

If the school's efforts are reasonable and sufficient, the screener thoroughly documents those efforts, and gathers available social information regarding the child and family, thereby accepting the referral for CP&P intervention.

If the school's efforts have not been reasonable and sufficient, the screener refers school staff and/or advises school staff to refer the parent(s) to appropriate community resources regarding substance use programs and services, and/or to resolve parent-child conflict, thereby not accepting the referral for CP&P intervention. (The referral is then coded as an I&R).

The screener may advise what specific steps must be taken by school staff to further attempt to engage the parents. The school is advised to document these activities. The school may be instructed to re-refer the matter if subsequent efforts also fail. Note: State law regarding compulsory education (N.J.S.A. 18A:38-25 and 18A:38-31) addresses the responsibilities of parents/caregivers of children between the ages of 6

and 16 years old. Child abuse/neglect law addresses the needs of children up to age 18. Thus, in situations involving children older than age 16, child neglect law may be more applicable than compulsory education law when the parent refuses to arrange necessary evaluation and/or treatment for the child. A referral to the CIU by the parent, the school, or CP&P is the most appropriate course of action when the adolescent refuses the parent's attempts to arrange treatment.